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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 ALLIANCE PACKAGING LLC, a  
10 Washington limited liability company,

11 Plaintiff,

12 v.

13 SMURFIT-STONE CONTAINER  
14 CORPORATION, a Delaware corporation, et  
15 al.,

16 Defendants.

C07-112Z

MINUTE ORDER

17 The following Minute Order is made by direction of the Court, the Honorable Thomas  
18 S. Zilly, United States District Judge:

19 (1) The Court DENIES Defendant Altivity's motion for summary judgment of no  
20 willful infringement, docket no. 203. There are material issues of fact that preclude  
21 summary judgment.

22 (2) The Court DENIES Defendant Altivity's motion of no lost profits, docket no.  
23 188.

24 (3) The Court has scheduled oral argument for Friday, September 12, 2008, at 9:00  
25 a.m. on all remaining motions. The Court now sets the order and time for presentation of  
26 oral argument as follows:

(a) The Court will first hear argument on Defendant Altivity's motion to  
pierce the attorney-client privilege, docket no. 105, Plaintiff's motion for  
partial summary judgment regarding co-inventorship, docket no. 129, and  
Plaintiff's motion for summary judgment dismissing Altivity's defense of  
inequitable conduct, docket no. 214. The Court will allow Defendants to argue  
first. The Court limits the time to a total of 20 minutes per side.

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(b) The Court will then hear argument on Defendant Altivity’s motion for no contract or pre-issuance damages, docket no. 197 [no contract issue only] and Defendant Smurfit Stone Container’s motion for summary judgment relating to the supply agreement, docket no. 235. Defendants will argue first. The Court limits the time to a total of 20 minutes per side.

(c) The Court will then hear argument on Plaintiff’s motion to dismiss Defendant Altivity’s claim for misappropriation of trade secrets, docket no. 216. The Court allocates 10 minutes per side and Plaintiff shall argue first.

(d) Finally, the Court will hear argument on Plaintiff’s motion to dismiss claims and defenses based on 35 U.S.C. § 112, docket no. 211. The Court limits the time to 10 minutes per side. Plaintiff will argue first.

(4) The Clerk is directed to send a copy of this Minute Order to all counsel of record.

Filed and entered this 8th day of September, 2008.

BRUCE RIFKIN, Clerk  
  
s/ Claudia Hawney  
By \_\_\_\_\_  
Claudia Hawney  
Deputy Clerk